

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**CHARLES H. SIMMONS,  
ADC #135731**

**PLAINTIFF**

v.

**CASE NO. 5:14CV00081 BSM**

**CAMRON RHODES et al.**

**DEFENDANTS**

**ORDER**

The partial recommended disposition (“PRD”) filed by United States Magistrate Judge Beth Deere and plaintiff Charles Simmons’s objections thereto have been reviewed. After careful consideration of these documents and a *de novo* review of the record, the PRD is hereby adopted in all respects.

IT IS THEREFORE ORDERED that:

- 1 Summary judgment [Doc. No. 40] is granted on Simmons’s inadequate medical care claims against defendants Cheek and Pitts and these claims are dismissed with prejudice.
- 2 Summary judgment is denied on Simmons’s remaining claims and he is allowed to proceed on these claims.

3 The clerk is directed to terminate Cheeks and Pitts as defendants immediately.

IT IS SO ORDERED this 10th day of August 2015.

  
Brian S. Miller  
UNITED STATES DISTRICT JUDGE